

OCT 30 2013

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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

LOUIS RODRIGUEZ, JR., ) Civil Action No. 7:13-cv-00436  
Plaintiff, )  
v. )  
ORANGE COUNTY REGIONAL JAIL, ) MEMORANDUM OPINION  
Defendant(s). ) By: Glen E. Conrad  
                                  ) Chief United States District Judge  
                                  )

Louis Rodriguez, Jr., proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By orders entered September 24, 2013 and October 3, 2013, the court directed plaintiff to submit within 10 days from the date of each order an inmate account form and a certified copy of plaintiff's trust fund account statements for the six-month period immediately preceding the filing of the complaint, obtained from each prison at which plaintiff is or was confined during that period. Plaintiff returned the account statement for the one month (4/17/13 through 5/10/13) that he was incarcerated at the Orange County facility. However, plaintiff has not provided the account statements for the months that he has been confined at the Rockingham facility. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

Plaintiff has failed to comply with the described conditions because he has not returned the required account statements. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions. In the alternative, plaintiff may tender the entire filing fee in the amount of \$400.00.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 30<sup>th</sup> day of October, 2013.

*Glen Conrad*  
\_\_\_\_\_  
Chief United States District Judge